

## Statement

### UPR- Pre-session on Iran

Geneva, 20 November 2024

Delivered by: 6Rang (Iranian Lesbian and Transgender Network)

#### 1. Presentation of the Organisation

This statement is delivered on behalf of 6Rang, an independent, non-profit organisation dedicated to promoting awareness of LGBTI+ human rights and combating homophobia, transphobia, and violence, with a particular focus on lesbian and transgender individuals in Iran.

#### 2. National consultations for the drafting of the national report

Since advocating for LGBTI+ human rights has been criminalised in the Islamic Republic of Iran, 6Rang's activities, as well as those of any other LGBTI+ civil society group or organisation, are subject to state sanctions. Consequently, any engagement between the authorities and such groups is unfeasible, let alone their inclusion in national consultations.

#### 3. Plan of the Statement

This statement addresses two issues: 1) criminalisation of same-sex conduct and its impact on freedom of speech and the right to assembly, and 2) discriminatory laws and policies based on sexual orientation and gender identity.

#### 4. Statement

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#### I. Criminalisation and its impacts on freedom of speech and right to assembly

##### A. Follow-up to the previous review

In previous UPR cycles, several states recommended that Iran set moratoriums on the application of the death penalty with regard to the criminalization of consensual same-sex conduct and discrimination based on sexual orientation, urging the government to adopt measures ensuring non-discrimination protections and safeguarding LGBTI+ individuals from violence and unequal treatment. The Islamic Penal Code explicitly criminalises same-sex relationships and restricts gender expression, enforcing punishments such as flogging and execution for consensual same-sex conduct. This criminalization not only places LGBTI+ persons at risk of prosecution and severe penalties but also reinforces societal stigma, leaving LGBTI+ individuals vulnerable to persecution without legal recourse or protection.

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##### B. New developments since the previous review

Since the last UPR review, LGBTI+ protestors, particularly during the 2022-2023 nationwide protests, faced aggravated violence, including torture, rape and other forms of sexual violence, as well as arbitrary detention by security forces, solely due to their real or perceived sexual orientation or gender identity amounted to the crime against humanity of persecution. Moreover, a systematic use of punitive measures by authorities to silence dissent and suppress LGBTI+ visibility, including the use of death penalty against two LGBTI+ activists, have further fostered a climate of fear that deters individuals from seeking redress or openly supporting LGBTI+ rights.

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### **C. Recommendations**

We therefore recommend that the Government of Iran:

- Fully decriminalise same-sex conduct, remove the death penalty and flogging for consensual same-sex relations among adults, and repeal all laws criminalising non-conforming gender identities and expressions;
- Release LGBTI+ activists and human rights defenders immediately, and stop the persecution and harassment of advocates for sexual orientation diversity and gender rights;
- Prosecute and punish perpetrators of human rights violations and gender-based persecution against LGBTI+ persons who participated in protests.

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- **II. Discrimination**

### **A. Follow-up to the First Review**

In prior UPR cycles, states recommended that Iran address discrimination against LGBTI+ individuals and implement protections to ensure equal treatment. While Iran partially supported recommendations to protect individuals from violence based on sexual orientation and gender identity, it did not enact any substantive measures, leaving LGBTI+ persons exposed to discrimination. This lack of protection has contributed to widespread social and institutional discrimination, with harmful practices persisting unchecked across healthcare, public discourse, and social institutions.

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### **B. New Developments Since the Last Review**

Since the last UPR review, discrimination against LGBTI+ individuals in Iran has escalated in healthcare, media, and public policy. Conversion therapy and other medically abusive practices targeting LGBTI+ individuals remain prevalent and are often state-endorsed. LGBTI+ individuals are frequently misdiagnosed with psychiatric disorders due to their sexual orientation or gender identity, leading to forced treatments including electroshock therapy,

medication, and, in some cases, coercive hormone therapies and sex reassignment surgeries.

Additionally, hate speech against LGBTI+ individuals, perpetuated by state officials and affiliated media, has intensified. LGBTI+ individuals are regularly portrayed as “animalistic”, “immoral,” “corrupt,” or linked to foreign influences.

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### **C. Recommendations**

To uphold the principle of non-discrimination, including protections based on sexual orientation and gender identity, we present the following recommendations to the Iranian government:

- Ban all forms of conversion therapies, including electroshock therapy, antipsychotic drugs, and any forced or involuntary psychological, medical, or surgical procedures aimed at changing sexual orientation, gender identity, gender expression, or sex characteristics without free, prior, and informed consent;
- Put an end to official hate speech against sexual orientation, gender identity, or expression.

Thank you for your attention.